

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA

v.

ROBERT O'ROURKE

No. 17 CR 495

Judge Andrea R. Wood

PROTECTIVE ORDER GOVERNING TRIAL

Upon the motion of the Government, pursuant to Title 18, United States Code, Section 1835, it is hereby ORDERED:

1. This Protective Order Governing Trial shall apply to any evidence or exhibits the Court determines contain "Trial Protected Material," which shall mean any exhibits or evidence that may potentially contain trade secret information and/or related confidential or proprietary information which may reveal or disclose trade secret information in this case.

2. A copy of this Protective Order Governing Trial shall be maintained with the Trial Protected Materials at all times. All persons given access to the Trial Protected Materials shall keep such information in accordance with the purposes and intent of this Order.

3. The designation or treatment of any exhibits or evidence as Trial Protected Material does not constitute an acknowledgement or determination by the Court or the Defendant that the material in fact contains trade secret or confidential

and proprietary information. The designation merely serves “to preserve the confidentiality of trade secrets,” as required under 18 U.S.C. § 1835.

4. All trial exhibits, regardless of whether they contain Trial Protected Material, shall only be displayed to the jury, counsel, the Defendant, witnesses, the Court and court staff (“Authorized Persons”), and will all be treated in the same manner so as not to draw attention to any particular exhibit. All trial exhibits, regardless of whether they contain Trial Protected Material, shall not be displayed on the large courtroom presentation displays, and shall only be displayed on the monitors and any screens at the bench, podium, counsel tables, jury box, and witness box, and only to Authorized Persons. All exhibits will be retrieved from the jury after the presentation of the evidence.

5. The parties may redact trial exhibits that contain Trial Protected Material. Prior to any redacting, all parties must be notified of the redaction and must agree to the redaction before the exhibit is used at trial. In order to preserve the record, any unredacted versions shall be filed under seal.

6. Trial Protected Materials shall not be left unattended in the courtroom. During recesses and overnight, the parties shall retain custody of the Trial Protected Material in accordance with the requirements of this Order and the Protective Order dated November 8, 2017 (Docket No. 28).

7. Any exhibits containing Trial Protected Material shall be maintained under seal by the Clerk of the Court, unless otherwise ordered by the Court. The

Court finds that the sealing of any exhibits containing “Trial Protected Material” is necessary to comply with 18 U.S.C. § 1835 and to prevent use of the material for improper purposes.

8. The parties should instruct witnesses not to disclose Trial Protected Material during the course of their testimony until and unless authorized by the Court.

ENTERED:

Date: February 4, 2019

A handwritten signature in black ink, appearing to read "Andrea R. Wood", written over a horizontal line.

ANDREA R. WOOD
District Judge
United States District Court
Northern District of Illinois